GRS IX 5]

Previous references.

1921-22 (Mar-)

1922-23

File No. 365

Serial Nos. 1 — 5

Later references

150 — 24.

GENERAL AND REVENUE SECRETARIAT

Serial Nos. 1 — 5

Part B for May 1923

SUBJECT

Possession of Jain Temple, Shravanabelgola, Mysore —

To Mun Com. no. 365-22-5 & 19-5-23
2860 (Mun)
Seeking permission to Dr. Hultzsch
to take impressions of inscriptions and
to facilitate possession of the Temple,

1911 73

From

H. Col. 1

To

of 1st par, No. 13

(Through the Hd. Asst. Collr.

Dated

Despatched } 27th January 1923

Received 29/1

General No.

No.

Enclosure No.

Who has to defend - The G.P or can Advocate appear before D.C?

Subject.

Submits for information and orders a copy of notice sent to M. S. Krishna Rao, pleader in behalf of Kadirundabi [illegible] to the Sub Divisional Officer, Mysore, under Sec. 92 of the C.P.C. for the removal of the Executive [illegible] Mysore.

29/1

299/2 D/1554 Hr/23

Dy Secy

3.2.23

C 7076 of 22-23

2 2 23

Revenue

K Chandy
Dy. Secy

1/2/23

AV 5/2/23

No.

OFFICE OF THE DEPUTY COMMISSIONER,
MYSORE DISTRICT,

Dated, Mysore, 29th July ..192

From

B. Ramachandra Iyer, Esqr., I.C.S.,

Deputy Commissioner, Mysore District.

To

T.N. Jayaramaiyar, Esqr., B.A., B.L.,

Secretary to the Government of His Highness
the Maharaja of Mysore, Bangalore.
Revenue Department.

(Through the Huzrai Commissioner in Mysore, Bangalore)

SIR,

Adverting to your memo No.675/Huz.154-1-10 dated 25th July 1922, forwarding a copy of orders passed by Government in Huzrai Appeal No.6/21-22 re. the management of the Inam Jalamuri Tope in Srangere village, Mysore Taluk, endowed for the performance of the funeral and other annual ceremonies of the deceased ancestors of Shakshi Raja Khan, I have the honour to report for the information of Government that Mahamed Asiruddin Khan, appellant in the above case, has issued a notice to the Sub Division Officer, Mysore, as Huzrai Officer of the Sub Division through his Counsel, Mr. M.S. Krishna Rao, Pleader, under section 92 of the Civil Procedure Code, and section 12 of the Mysore Huzrai Regulation, stating that he would file a civil suit against the Sub Division Officer etc, in the District Judges Court, Mysore, for the recovery of the possession of the property above referred to.

A copy of that notice has been sent to me by that party for information, A copy of which I submit herewith for perusal and orders.

I have the honour to be,
Sir,
Your most obedient servant,

Deputy Commissioner,
Mysore District.
(Absent from Station)

From.

...Krishna Rao,B.A.,

Asst Trade Teacher, Bangalore City.

To.

The Asstt Officer, Mysore Sub Divn.

Notice under section 80 of the civil procedure code for filing a civil suit in Huzrai Court.

In respect of Huzrai case No.8 of 1921-22 for damages for waste by cutting the 2 fruit bearing trees in the garden in Srangere village, Mysore Taluk.

Petitioner.	Counter petitioner.
Mahamed Khan	Alamed Sahib in the

It was ordered by your honour's learned predecessor on 18-5-1918 that the petitioner as the alleged landlord might take all legal steps to prevent unauthorised acts of the counter petitioner if he should attempt to cut any more fruit trees in future.

An appeal against this order was filed before the Commissioner of Mysore, as the District Huzrai Court, and in this appeal No.103 of 1918-19, the said Officer while confirming holding that no great harm has been done to the property the Sub Division Officer's order may remain as the parties could not be reconciled amicably. Thereupon another Huzrai appeal No.5 of 1921-22, was filed by the counter petitioner for cancellation of thiscourt - order. In that case the Government of His Highness the Maharaja of Mysore, have upheld the order of this court and that of the Commissioner and have also added that the said Khan shall still will continue to be the manager of the estate viz., the Tope in question.

The order passed by Mr.Thomas Scott in the case on 4-5-1918, that the petitioner is the registered trustee of the property in question has been quoted by the counter

Sub Division Officer.

It is submitted that this order has reference only to the Jagir village of Doddkatoor, Mysore Taluk, and not to the property in question.

The Amildar's report clearly proves that the counter petitioner has been performing the watheja and the said property has been in the sole possession and management of Mahamed Nasiruddin Khan for a long time.

The present order is not based on a full record of the entire facts of possession and enjoyment of the property, and the --- rights if any of the several members of the family in this property.

The management of this property vested in Mahamed Nasiruddin Khan for a long time and the allegation of Mahamed Khan as to the acts of waste by Mahamed Nasiruddin Khan has not been proved.

Under these circumstances the said Mahamed Nasiruddin Khan feels agrieved by the order of this court and of the Government if his long managership should be disturbed by the appointment of Mahamed Khan as manager.

This is a decision on a matter which is not even prayed for by Mahamed Khan in his petition. Besides, the order of this court seems not to have been passed under the circumstances mentioned in section 9 of the Muzrai Regulation.

As provided for under section 12 of the same Regulation my client Mr. Mahamed Nasiruddin Khan, the counter petitioner and the appellant in the above case, has instructed me to issue this notice to you and the Deputy Commissioner, the District Muzrai Officer, Mysore, informing you that my client will file a suit in the court of the District Judge of Mysore, against you as Muzrai Officer of the Sub Division and the petitioner Mahamed Khan for cancellation of the above order in this matter

Sd. M.S.Krishna Rao,
7-11-38. 1st Grade Pleader, Mysore.

P.T.O.

To.

The Deputy Commissioner,

Vsoro.

This copy of the notice will be sent to the Police Officer, Vsoro, has been submitted for the information of the Judgment debtor in the Vsoro Taluk.

[illegible],

3-11-23. [illegible],

Copy.

Deputy Commissioner,

Vsoro District.

26/1/1923

C 1325/9 22-23
Br on file

[illegible]

[illegible]

[illegible]

Draft according sanction
to engage the services of
the Public Prosecutor
to defend the
[illegible]

86
15/3/23

[illegible] 15/3/23

7556-429
16.3.23

3) [illegible]

4) On receipt of a reference
Mr D.I. Wrs. I think, recently
informed matter a civil
Wrs who likes it will be defended.

Rec
17.3.23

M 25-16-)Sd 20.3.23 to Asst Secy. Comm.
Encl. Complnt

Sanctions Asst Services of the Public
Prosecutor and requests him to send a
draft- ~~of~~ written Mr for the appl. of
proc. Vide Encl'd file. In regard to para 4.
with ref. to para 4 above,
it is subm. that under an order

G. R. S. III—3]

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

---

was framed by the Chemical
but as the recommendation
was used for engaging
the services of the Public Prosecutor
in the case and was signed,
the draft appd. in the
file below need not be
issued now.
The papers may perhaps be kept
over for the present till
we receive the
draft written Statement
21.3.23

7760-633
23.3.23

4/24/23

File

N. B.—Should routine notes be written on small slips the notes must be cipoed, or slips pasted on this form

G. R. S. III—3]

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record]

From the Aburpai Commr in Mysore. C. 1325 of 22-23 dt. 5.5.23. — — —

A 2082

Forwards copy of letter No. 30/22-23 dated 3rd May 1923 recd from the D. C. Mysore together with the draft written objn to be filed in the Dt. Judge's Court, Mysore, in answer to the plaint filed by Mr. Mir Nadirsaheb Khan re: possession management of Gulapuri Dope belonging to Bapu Raja Khan's Kaderestan at Mysore.

The D. C. states in his letter that the case is posted to 17th instant for filing the objn deposes & requests approval of grant to the objn & return of the same before 15th May

5

N. B. -Shouldroutine notes be written on small slips the notes must b cipoed, or slips pasted on this form.

G. R. S. III—3]

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

D. 1554

Memo from the Inspr. Genl. forwarding the notice of Dy. Comrs. Comr. with a copy of the notice issued by Mr. S. Krishna Rao, pleader, on behalf of Nasiruddin Khan & the Mysore Sub-Divl. officer under Sec. 92 of C. P. C. for a cancellation of S.O. no. 375 Dy 25.7.1922 appointing the respt. Hakeem Khan as the manager of Inam. Jalpuri Dope endowment & Bakshi Raja Khan's inst. &c. Mysore.

Inwd. 2. no. 1554 & 5

The further documents may be awaited.

N. B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

The file may be sent to the Govt Advocate Genl. Opinion

8/9/23

G. R. S. III—3]

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent r

33213

Forwarded unofficially
with compliments &
Govt. Advocate for
favour of opinion

9.2.23

The Tope in question
is settled as "Devadaya"
and it is open to Govt
to make such arrangements
as they deem proper for a
proper management of the
property for the benefit of the
institution concerned.

The person who is
now placed in charge of
the Tope is not a stranger.

N. B.—Should routine notes be written on small sl ps tho notes must be cipoed, or slips pasted on this form.

G. R. S. III—3]

ROUTINE NOTES

[To be used only for notes, requisitions, etc., not intended for permanent record.]

He is no other than the close brother of the person who is threatening to file the suit and is prima facie entitled to manage the property unless & until the present applicant is in a position to show that he has earned the right of management by adverse possession or otherwise. ~~that he has right to be~~ The records show that the applicant was found to have sold some print ~~bundle~~ bearing lines and appropriated the realizations for his private use. Under the circumstances the order passed by the Government appears to be quite legal and fair, and the applicant has no reasonable grounds to complain.

The orders of the Munsif appear to be wrong, as the section gives only 6 months' time for filing such suits.

W. Meadows Taylor
Dist. Judge
9/3/23

N. B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

G. R. S. III—3]

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

7492-365
15-3-23 approved

Rec.
16 3 23

A.V.
D/F. Sr. Cmdt.
A.D.C. — Sd
To see. 20/3/23

[In Secy. D. No. 365/22
the Dy. Comr has been
authorized to engage the
services of the Public Prosecutor
& defend the Suit filed.
These papers will be put up
with that file. Send the Papers
in the file need not be sent.
Secy.
20/3/23

N. B.—Should routine notes be written on small slips the notes must be copied, or slips pasted on this form.

G R S. III—3]

ROUTINE NOTES

[To be used only for notes, requisitions, etc., not intended for permanent record]

to enable him to forward
to the Public Prosecutor
the 17th inst.
Yours for orders.

Murrae N.O.
No 479/12.5.23

forwarded with copy
of the first note
for favour of

Bungalow
12/5/23

33.34

14 MAY 1923

No. 174/N.23

15 MAY 1923

The written statement may be approved as it appears to be quite suitable.

Gantavya
14/5/23.

I have instructed the Draft with the Statement

N. B.—Should routine notes be written on small slips the notes must be pasted on this form.

G B S III—3]

ROUTINE NOTES

[To be used only for notes, requisitions, etc., not intended for permanent record.]

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form

G. R. S. III—3]

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record]

No. 2860 dt. 6/
to the Mun. Comm
Rs. a Cobra
Lic. Supt. Gr. for
being taken in the
Dist. Jail Camp
Mysore

N.B.—Should routine notes be written on small slips the notes must be gumed, or slips pasted on this form.

G. R. S. III—3]

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

N. B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

G.R.S. VI G 31]

SUBJECT.... .. ..

....

... .

Diary No. of letter replied to..... . .....

Section

File No.

Serial No.

General and Revenue Secretariat

( )

, *the* *192* .

Proceedings of the Government of His Highness the Maharaja of Mysore

Date of issue.... 20.3.23 ....

Signed by Mer J.E.J. Aiyar ..

Read—

Letter no C 1115 dy 13th March 1923 from the Muz. Court in response Submitting letter no 1886 dy 10th March 1923 from the Dy Court Mysore Dist, requesting sanction to engage the services of the Prosecutor, Nanjangud.

Order Thereon No.

May this be

i Printed ?

ii treated as a standing order ?

iii published in the Gazette, English Part ?

iv translated ?

v placed at the disposal of the press ?

vi published in the Gazette, Kannada Part ?

Govt-2 20/3/23

The Suit instituted by
Mr. Mian Nasaruddin Khan
for the possession and
management of the Jalapuri
Dope and three canes
belonging to Bakshi
Raja Khan's Kabarstan
at Muz. Town.

Order Memo. No 2516-7 Exec. one file
Memo 365-22-2
Dy 20.3.23

Sanctioned.

(2) The respondent pay
Suit Stamp be withdrawn
in due course.

15/3/23

DC 15/3/23 Rec. Secretary

Rec
17.3.23

W, the Muz. Town bills received
Comp Dr. Dr. Cy.

Rai Bahadur Sh
Md Ismail for the
Applicant Petitioner

List of enclosures.

Copied by

Examined by

WD 1868—GPB—1,000,00—21-12-21

C.1325 of 22-23

To be.

Office of the Muzrai Commissioner in Mysore

39, 2 Dated, Bangalore, the 4th May 1923.

From

K. Chandy, Esquire, B.A.,
Muzrai Commissioner in Mysore,
Bangalore.

GEN. & REVENUE SECRETARIATE
7-MAY-1923
MUZRAI
D-2089

365-22-3

To

7 MAY 1923

T.E. Jayarama Aiyar, Esq., B.A., B.L.,
Secretary to the Government of His Highness
the Maharaja of Mysore, Revenue Department,
Bangalore.

Sir,

Adverting to para 2 of Government Order No.2516-17/M.F. 365-22-2 dated 20th March 1923, I have the honor to forward herewith for approval and kind return, copy of letter Ref. C.No. 301/22-23 dated 3rd May 1923 together with the draft of a written statement to be filed in the District Judge's Court, Mysore, in answer to the plaint filed by Mr. Mir Nazarudeen Khan regarding the possession and management of Jalapuri tope belonging to Raja Khan's Kabarstan at Mysore.

I have the honor to be,

Sir,

Your most obedient servant,

Assistant Commissioner,
for Muzrai Commissioner,
Absent from Head Quarters.

Letter No.Ref.C.301/22-23 dated 3rd May 1923, from the Deputy Commissioner, Mysore District, to the Muzrai Commissioner in Mysore.-

---

"As called for in para 2 of your memo No.C.1325/22-23 dated 21st March 1923, I have the honor to submit herewith, for approval, a draft written statement prepared by the Public Prosecutor, and received with Mysore Sub Division Officer's report No.429/22-23 dated 1st May 1923, in answer to the plaint filed in C.C.No.19-22-23 by Mr. Mir Nazarudin Khan in the District Judge's Court, Mysore, for the possession and management of the Jalapuri Tope belonging to Khansh Raja Khan's Kabastan at Mysore.

The case is posted to 17th May 1923 for filing the defence statement as reported. I therefore request you to kindly obtain the approval of Government to the statement proposed to be filed, and return the same to me before 15th May to enable me to pass it on to the Public Prosecutor before the date of next hearing viz.,17th May 1923.

The copy of the plaint is also enclosed for reference and kind return."

"Copy.

for Muzrai Commissioner. 4/5/23

D.N.

Muz 4]

SUBJECT .....

Diary No. of letter replied to _____

Muzrai Secretariat

( )

, *the* 192 .

Section

File No.

Serial No.

DO No. 2794

Date of issue 15-5-23

To

Sir,

Signed by M. T. E. J. Nyas

Draft. to the P. Secretary
submitted as directed.

15.5.23.

In the ...
the ...
in the ...
Mysore, for ...
& the ...
belonging ...
Raja Kha...
Mysore, ...
Inam ...
Institu...

15/5

that it will take about a week more to obtain the approval of Sanction to the Building Specifications proposed to be erected on the said site. Immediately obtain a Sketch plan in order.

Yrs Faithfully

[illegible]

87
0575

By

The Public Prosecutor,

Mysore.

2795 & 15.5.23

Copy to Inspector General

List of enclosures

Copied by

Examined by

WD 0563—GPB—2,500—27 7 22

40032

C.1325 of 22-23 SECRETARIAT 17 MAY 1923 MUZRAI

Office of the Muzrai Commissioner in Mysore,

Dated, Bangalore, the 15th May 1923.

D 2132

From

K. Chandy, Esquire, B.A.,

Muzrai Commissioner in Mysore,

Bangalore.

To

The Deputy Commissioner,

Mysore District.

Sir,

With reference to your letter Ref.C.No.301 of 22-23 dated 3rd May 1923 and subsequent communication of the 14th instant regarding the written statement to be filed in the District Court, Mysore, in the suit filed by Mr. Nazaruddin Khan for the possession of the Jalapuri tope, Mysore, I have the honor to state that the draft sent up by you has been submitted to Government for approval and will be returned as soon as received. If a further communication in the matter is not sent to you before the 17th instant, the Public Prosecutor may be instructed to obtain a short adjournment explaining the circumstances to the Court.

I have the honor to be,

Sir,

Your most obedient servant,

Sd/- M. Sadasiva Rao,

for Muzrai Commissioner.

7/5/23 D.N. C.1325 of 22-23

15.5.23.

Copy of the above is forwarded, with compliments, to the Revenue Secretary to Government, in continuation of this office letter C.No.M325 of 22-23 dated 5th May 1923.

for Muzrai Commissioner.

Muz 4]

SUBJECT ....

.. ..

... .

Diary No. of letter replied to _____

Section Muz

File No. 365-22

Serial No. 5

Muzrai Secretariat

( )

, *the* 192 .

No. 2860

Date of issue 19.5.23

To

The Muzrai Comr.

Signed by Asst. Secy.

Do requested in your letter No. C. 1325 of 5th May 1923, I am directed to forward herewith for being filed in the Dist. Judge's Court, my Saree, a copy of the draft

over

Statement duly approved relative to the civil Suit for the possession of the Jalapeari Tope belonging to Bakshi Raja Khan's Khabestan, Mysore.

I have &c.

Rec'd -- [illegible]

List of enclosures.

Copied by

Examined by

WD 0563—GPB—2,500—27-7-22

Civil 11

Ist Jahangir Khan

Exhibit A

Mohammad Khan

Exhibit A to the written statement

Plaint.

In the Statement of the 2nd defendant

No. claim received.

That the plaint schedule lands are
hereditary Inam lands from time
to the ancestors of the plaintiff and the
1st defendant for the performance of certain
ceremonies of the deceased Bukhari
Raja Khan & his ancestors. That
the said hereditaries were in the possession
of the descendants of the said Raja Khan
as 'Mutt' property, subject to the obli
gation of the performance of certain
periodical ceremonies. That right
of administering or managing
the Mutt was often due enquiring
& careful consideration, entrusted
to the 1st defendant, who has been to be
the elder brother of the plaintiff.
This arrangement made by the then
S. D. O. Mysore in 1918 was confirmed
by the Board of Land Revenue. The
said orders are capable of just.

The cause of action to plaintiff

[illegible] is entitled to [illegible]
an equitable lien upon [illegible]
the [illegible], in [illegible] sale
as [illegible] [illegible]
[illegible] [illegible]
[illegible] [illegible] and [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] the [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]